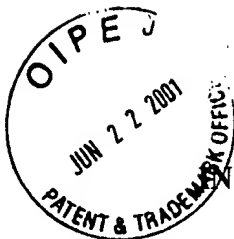


RECEIVED

JUN 27 2001

TECH CENTER 1600/2900



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Busby, et al.

Serial No.: 09/487,558

Examiner: K. Davis

Filed: January 19, 2000

Entitled: Methods for Improving Secondary
Metabolite Production in Fungi

Group Art Unit: 1636 #10

Attorney Docket No.: 109272.130

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

6/20/01
Date of Signature and
of Mail Deposit

Paul L. Speidel
By: Paul L. Speidel

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56 and 1.97-98

Pursuant to 37 C.F.R. §§ 1.56 and 1.97-98, Applicants hereby make of record the documents listed on the attached PTO-1449. Copies of the documents are enclosed. Moreover, the attached documents were cited in an International Search Report in a corresponding PCT application. A copy of the International Search Report is enclosed.

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publication be made of record therein and appear among the "References Cited" on any patent to issue therefrom. This Information Disclosure Statement is not to be interpreted as a representation that the cited references are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the



citation of any reference herein be construed *per se* as a representation that such reference is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited documents. Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits, therefore, the Commissioner is hereby authorized to charge the required fee of **\$180.00** to Deposit Account No. 08-0219.

If the above amount is incorrect, the Commissioner is authorized to charge any fee deficiency or credit any overpayment in connection with this matter to Deposit Account No. 08-0219.

Respectfully submitted,

Robert McIsaac
Reg. No. 46,918

Dated: June 24, 2001

Hale and Dorr LLP
60 State Street
Boston, MA 02109
(tel.) 617-526-6000
(fax) 617-526-5000



1636

4

Please type or print your sign (+) inside this box → ☐PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/487,558
	Filing Date	01/19/00
	First Named Inventor	Busby
	Group Art Unit	1636
	Examiner Name	K. Davis
Total Number of Pages in This Submission	Attorney Docket Number	109272.130

RECEIVED

JUN 27 2001

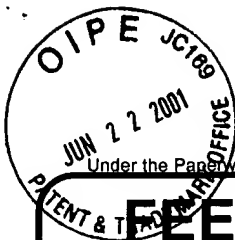
TECH CENTER 1600/2900

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Form 1449 51 Prior Art References as Cited Copy of Search Report	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert McIsaac, Reg. No. 46,918, Hale and Dorr LLP
Signature	<i>Robert McIsaac</i>
Date	June 20, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:			
Typed or printed name	Paul L. Speidel		
Signature	<i>Paul L. Speidel</i>	Date	6/20/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 09/487,558
Filing Date 01/19/00
First Named Inventor Busby
Examiner Name K. Davis
Group Art Unit 1636
Attorney Docket No. 109272.130

RECEIVED

JUN 27 2001

TECH CENTER 600/2900

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 08-0219
Deposit Account Name Hale and Dorr LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) IDS after Office Action			180.00

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

Name (Print/Type)	Robert McIsaac	Registration No. (Attorney/Agent)	46,918	Telephone	617-526-6168
Signature		Date	June 20, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.